

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
Plaintiffs,)	
)	
vs.)	CASE NO. 2:06CR71-1
)	
BERNETTA LASHAY WILLIS,)	
)	
Defendant.)	

MOTION FOR MENTAL COMPETENCY EXAMINATION

COMES NOW the Defendant, Bernetta Lashay Willis, by and through undersigned counsel, Banks T. Smith and pursuant to 18 U.S.C. § 4241(a)(b) and 18 U.S.C. §4247(b), respectfully requests that an inpatient psychological and/or psychiatric examination be made of Ms. Willis, and for grounds therefore states as follows:

1. That the Defendant has informed her Counsel that she is on Social Security Disability relating to some type of mental disease or defect.
2. Upon Counsel's observation and discussions with the Defendant, he is of the opinion that the she might not fully understand the issues surrounding her particular circumstances, and therefore it affects her ability to aid Counsel.
3. Counsel would further show unto this Court that Defendant is indigent and has been appointed Counsel by this Court.
4. Defendant requests that appropriate funding be provided in order to complete said testing.
5. Defendant further requests the Court allow her to remain under the condition of her release and obtain said psychological and/or psychiatric evaluation on an

outpatient basis.

WHEREFORE, Counsel for the Defendant requests this Court to approve the psychological evaluation of the Defendant with Dr. Theron Covin and the costs therein, on an outpatient basis in coordination with U.S. Probation Officer.

Respectfully submitted,

/s/ Banks T. Smith
BANKS T. SMITH [SMI-101]
Attorney for Defendant

OF COUNSEL:
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CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Karl David Cooke, Jr.
Assistant U.S. Attorney
One Court Square
Suite 201
Montgomery, Alabama 36104

/s/ Banks T. Smith
OF COUNSEL